App F IX

Previous References (1941 Mc)

File No 55-41

Serial Nos 1 2

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos Two only

Part B for July 41

SUBJECT

Temporary misappropriation of Money by P A Nagarajachar Town Hall Clerk of the Mysore City Body & his dismissal from the Service

To The Personal Assistant to the Mysore Comptroller

L 681-2 Dtd 28-7-41

Received the ——— -

6224
L

General and Revenue Secretariat | File No | of 194 | [App F III-2

Serial No

From Mr Odt, city mnl cl, Mysore
No GT 2521 Dt 10-6-41
Reports the temporary misappropriation of moneys by P G Nagarajarow, Town Hall clerk of the city mnlty -

1) The amount misappropriated by the clerk is about 128/- and it is stated that the amount has been recovered from him -

2) The clerk in question is stated to have been dismissed - as in view of his age, good work & his good behaviour after the date of the offences, as recommended by the municipal Councillors -

3) Subd for perusal - - -

WD/5/17

14/6 - Law Secy) HH 15-7

OFFICE OF THE MINISTER FOR L S G & P H
Date 18/7/41
No 32a

Jpi

4) The action taken by the President may be approved as a special case in the peculiar circumstances mentioned in PWD

Hm
15/7/41

HH
22-7-41

Hm
22/7/41

NOTE—Contn Sheet

6224
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ml File No —31— of 1940-41 | General and Revenue Secretariat

Serial No

Subd with a draft Go for appl

HHB 28/7 — Law Secy) Hy 28-7

for

Hm 2 23/7/41

Hy 24-7

SECY LAW DEPT 23 JULY 1941 GOVT OF MYSORE

24 JULY 1941 REV & RL

To The Ofh, cij and cl, Mysore
The Comptroller
No L 681-82 Dy 28-7-41
Record the communications

2.

B 2/8

No G J 2521 WN NPA

6224/L

MC..55-41-1

OFFICE OF THE PRESIDENT,
CITY MUNICIPAL COUNCIL, MYSORE

Dated 10th June -- 1941

From B S Raghavendra Rao, Esq., M A (Hons)

PRESIDENT CITY MUNICIPAL COUNCIL
MYSORE

To

H V Narayana Rao, Esq , B A ,LL B ,
Secretary to Government, Law Department,Bangalore.

Sir,

I have the honour to state that on information that receipts on account of lending the Town Hall Microphone were not being properly credited an investigation was conducted by me and it was found that the Town Hall clerk, one P G Nagaraja Rao who was entrusted with this work had committed some temporary misappropriation in respect of the marginally noted amounts

Dues on Mike lent to	Rs.	a	p
The University Union on 24/11/40	6	0	0
Mr B Krishna Rao on 27/4/41	6	0	0
Mr Mohammed Sait on 17/2/41	12	0	0
--do-- 19/2/41	6	0	0
--do-- 9/1/41	3	0	0
Town Hall funny show	20	0	0
War fund calendars amount retained for 20 days without remittance	75	0	0
	128		

The misappropriation was rendered possible since under the procedure now existing, the Town Hall Clerk who has given a security deposit receives applications for rent of the microphone and the Town Hall etc. and after orders are obtained for the lending of the same he collects necessary money and credits the amount to the Town Hall funds. In case Under the circumstances in question, the amount so collected by him was not shown in the accounts as due and it was only on investigation that it was noticed that he had collected the amount and temporarily misappropriated the same

All the amounts due by him have since been got credited I had also ordered that a complaint may be preferred to the Police and the Police were also informally intimated in the matter But in the meanwhile, before giving a formal complaint, as it was considered desirable that the amounts due to us should first be got credited, the complaint had not yet been preferred

This Town Hall clerk is a very young official being 26 years old and was very smart, active and quite good in his work and had thus earned the goodwill of most of the officers and also the Municipal Councillors and non-officials with whom he came into contact. News of the proposed prosecution having got about, a considerable amount of sympathy appears to have been aroused and on hearing that he would shortly be handed over to the Police, an attempt was made by the Municipal Councillors at the budget meeting of the Council to move a resolution that this extreme step need not be taken in view of his youth and previous good work The matter was informally discussed and all the members of the Municipal Council were unanimously of opinion that the official may be merely dismissed and requested me to kindly drop further procedure In view of this I have since passed orders dismissing the official

The audit of the accounts of the Town Hall of which the official was in charge was done and as stated above all the amounts due has been credited as per records, but in any event, as a measure of precaution, his security deposit amount, viz Rs.100 will not be returned for a period of 6 months more and will be returned only after making sure that no further amounts are due by him

I have the honour to be,
Sir,
Your most obedient servant,

B. Rashavendra
PRESIDENT 10 6

KSR

GRS III—3]

ROUTIN

[To be used only for notes, requisitions

GR 5764

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on this form

1) There is a circular which effects pensions even if the defaulters are made good but defaulters should not be allowed to go unpunished. Please consult the Rev Br and draw up the circular.

2) Both the Rev Branch may be requested to make available a copy of the circular referred to by the Asstt Secy L S & [illegible]

17/6 3) L-A Branch for further compliance

Revenue Branch is not aware the circular referred to Prosecution Branch may be consulted

18/6

4) Supdt. Bombay WC for compliance

April 1964

WD 05636—GPB—36 000—20 3 40

GRS III—8]

7776 62 14

ROUTINE NOTES

[To be used only for notes, requisitions, etc, not intended for permanent record]

with reference to para the Circular referred to in para 1 supra, it is submitted that no reference regarding this could be traced in the law section it is however submitted that under the general principles of criminal law ~~Offences~~ in cases of mis-appropriation, the making good of the money involved does not absolve the accused of the offence he has committed and that he will still be liable to punishment, though a lenient view by the Case may be taken in cases where the money mis-appropriated is made good

Sd/-
12/7
Illegible

Illegible

Submitted with regret to the Asst Leg's Illegible view

Sd/-
12/7/41

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on this form

WD 05639—GPB—36 000—20 8 40

G R S App F VI—G 2]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Section ML

File No 55-41

Serial No 2

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 28th July 1941

Signed by Kr. A. Annachalam

Read Letter No GR 2521 D/10-6-41 from the Dist, city ML Cl, Mysore reporting that one P G Nagaraja Rao, had committed some temporary misappropriation in respect of a sum which he had collected for being credited to the Town Hall, that the sum so misappropriated was subsequently made good by him & that, having regard to his age, good work & his good behaviour, he was dismissed from service as recommended by the Municipal Councillors

May this be

(i) printed ? Yes, by the Town Hall Cl/K

(ii) treated as a standing order ?

(iii) published in the Gazette English Part ? Rs 128/ to the Town Hall

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette Kannada Part ?

Order No

Received.

Mr.

Mr. Secretary Brock
Mr. Law Dept
Dy Law Dept

To The Deputy Collector, Customs
The Comptroller

Out of Port Limits

Cruising

Examined by

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Read —

Letter No. G.T. 2521 dated 10th June 1941 from the President, City Municipal Council, Mysore, reporting that the one P.G. Nagaraja Rao, who was working as the Town Hall Clerk, had committed ~~some~~ temporary misappropriation in respect of a sum of Rs.128/- which he had collected for being credited to the Town Hall Funds, that the sum so misappropriated was subsequently made good by him and that, having regard to his age, his good work and his good behaviour, he was dismissed from service as recommended by the Municipal Councillors.

Order No. 681-82/MC 55-41-2

Dated, Bangalore, 28th July 1941.

Recorded.

(Sd/-) For Secretary to Government,
Law Department.

To

The President, City Municipal Council, Mysore,
" Comptroller to Government.